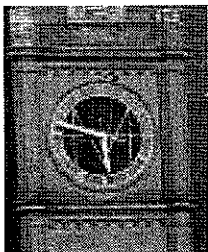


Exhibit AA

Why Accreditation Doesn't Work and What Policymakers Can Do About It



A Policy Paper from
the American Council of Trustees and Alumni



Why Accreditation Doesn't Work
and
What Policymakers Can Do About It

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July 2007

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Foreword

This paper is intended as a primer for policymakers on lessons learned from decades of experience with the federal system of higher education accreditation. It streamlines, updates and expands ACTA's 2002 investigation, *Can College Accreditation Live Up to Its Promise?*¹ At that time we found that accreditation did not ensure quality, was not protecting the curriculum from serious degradation, and was giving students, parents, and public decision-makers almost no useful information about institutions of higher education.

Our new investigation finds that things have only become worse. Recent stories abound—illustrated in “Stories from the Front Lines”—about the ills visited upon schools by accreditors, and about lapses in academic programs that accreditation has failed to prevent. Accreditation is giving students and parents a false sense of confidence that certified schools have passed a meaningful test when they have not.

Today, accreditation is bad education policy that undermines the autonomy of our educational institutions while doing nothing to ensure academic quality. Congress rightly wants to ensure that federal student aid funds do not go to “fly by night” operations. But there are other and better ways to achieve that result—at less cost and with less damage to higher education. In the following pages, we outline “Why Accreditation Doesn’t Work” and “What Policymakers Can Do” to fix the accreditation system now.

Anne D. Neal
President

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STORIES FROM THE FRONT LINES

A Travesty Accreditation Failed to Prevent

Missouri State University student Emily Brooker had no idea what an uproar she was about to cause. The School of Social Work student objected in the fall of 2005 about a letter she'd been asked to sign at school. The letter endorsed a matter of public policy with which she did not agree, and she thought that being asked to sign it—by a professor no less—was inappropriate. What's worse, when Booker refused, she was accused of violating tenets of the social work program's "Standards and Essential Functions for Social Work Education" relating to diversity, interpersonal skills, and professional behavior and subjected to a two-hour disciplinary hearing. Faculty ordered her to write a paper describing how she would "lessen the gap" between her personal beliefs and what professional ethics purportedly required. She was also required to sign a special contract in order to continue in the program.²

After Brooker filed a federal civil-rights lawsuit, senior MSU administrators became aware of the matter and called for an external review. Investigators found evidence of "bullying" toward students and deemed the overall learning environment "toxic."³ The review also said:

Many students and faculty stated a fear of voicing differing opinions from the instructor or colleague.

It appears that faculty have no history of intellectual discussion/debate. Rather, differing opinions are taken personally and often result in inappropriate discourse.

There is an atmosphere where the Code of Ethics is used in order to coerce students into certain belief systems regarding social work practice and the social work profession. This represents a distorted use of the Social Work Code of Ethics in that the Code of Ethics articulates that social workers should respect the values and beliefs of others.⁴

MSU's president said that the review documented "as negative a review of an academic program as I have ever seen."⁵ He put all tenure and hiring decisions for the school on hold and speculated that an impending accrediting review might have to be delayed as, one newspaper reported, "the school couldn't earn [it] in its current state."⁶

What he did not say was more troubling, however. MSU is accredited not by one, but by two accrediting associations. North Central accredited the institution as a whole in 2005. Meanwhile, the MSU School of Social Work has programmatic accreditation from the Council on Social Work Education (CSWE). Far from solving the problem, accreditors were part of it. CSWE in fact requires all accredited programs to ensure that students "understand the forms and mechanisms of oppression and discrimination and apply strategies of advocacy and social change that advance social and economic justice."⁷ According to CSWE standards, MSU's School of Social Work was doing its job. This is just one of many cases across the country where an accrediting agency's politicized perspective is corrupting education.

STORIES FROM THE FRONT LINES

A Teaching Accreditor Run Amok

The National Council for Accreditation of Teacher Education (NCATE) demands that schools of education assess the “dispositions,” or opinions, of teacher trainees as a requirement for accreditation. Until just recently, according to these standards, “dispositions” were “guided by beliefs and attitudes related to values such as caring, fairness, honesty, responsibility and social justice.” Taking the lead from their accreditor, education schools across the country adopted criteria assessing students’ acumen in “social justice” and “diversity.” The Penn State College of Education, for example aims to “[e]nhance the commitment of faculty, staff and students to the centrality of diversity, social justice, and democratic citizenship.”⁸ Adelphi University’s NCATE-accredited Education School states on its website that:

Social justice as a core value is reflected in the basic social and philosophical courses offered to our students. At a time when many schools of education have eliminated these disciplines, we remain steadfast in engaging students in dialogue about the economic, social, political, gender, and ethnic inequalities that exist in today’s society....We teach students to challenge the conventional ways of thinking about mathematics, science, history, English, and language arts....Students who are imaginative and empowered become teachers keenly aware of the social injustices of our world, willing to explore ways to alleviate those inequalities.⁹

Aspiring teachers were bearing the consequences. In a story reported in the *New York Sun*, students at Brooklyn College expressed fears that the NCATE guidelines were being used against those who did not share the political views of their professors. Several students complained they were penalized in a course on high school literacy when they sought to challenge the professor’s assertion that grammatical English was the language of oppressors.¹⁰ A similar problem occurred at Washington State University, where education student Ed Swan was threatened with dismissal for expressing his beliefs on topics such as gun control and religion—after being asked to do so. Swan was said to have violated “dispositions” criteria relating to “appreciat[ing] and valu[ing] human diversity,” sensitivity to “community and cultural norms,” and respecting “others’ varied talents and perspectives.”¹¹

In light of these abusive practices, a number of organizations—including the American Council of Trustees and Alumni—opposed federal recognition of NCATE by the Secretary of Education. NCATE agreed to drop the “social justice” wording from its standards, and its status as an accreditor was renewed. But the amorphous term “professional dispositions” is still used, and many NCATE-accredited schools of education retain a “social justice” requirement.

In light of the documented national shortage of teachers with the knowledge and skills to provide solid K-12 education, NCATE’s actions are troublesome. In practice, NCATE’s standards have been used to ignore academic goals, and lead to a politicized determination of who is qualified to be a teacher.

Who's in Charge at Auburn?

In numerous cases, accreditors have extended their reach in ways that inappropriately intrude upon governance and trustee oversight. The Southern Association of Colleges and Schools, for example, currently applies its Comprehensive Standards of Institutional Mission, Governance, and Effectiveness during accreditation reviews. These standards *insist* that the President—and not the board—is in charge when it comes to major pieces of the academic enterprise. SACS' standards vest the institution's CEO with "ultimate responsibility for and...appropriate administrative and fiscal control over, the institution's intercollegiate athletics program...and fund-raising activities."¹² In shorthand: Board, butt out.

In a case involving Auburn University, these standards took on real meaning. The regional accreditor sanctioned the board in 2003 for meddling in administrators' affairs and put the school on a one-year probation for what *The Chronicle of Higher Education* reported was "trustee meddling in the university's administration and for a lack of commitment to the accreditation process."¹³ The sanction was lifted only after three outside investigators found no basis for the penalty and trustees signed a personal statement of commitment to the accreditation process. While boards of trustees do sometimes overstep and criticism may be called for, this intervention raises serious questions:

Why should federally approved accreditors—who, almost without exception, are university administrators and faculty members whose interests may conflict with those of engaged trustees—have the power to second-guess boards, boards that have the ultimate legal responsibility for higher education governance?

There is absolutely no indication that Congress ever intended the system of accreditation to reach into areas of governance already controlled by state statute, charters, and bylaws. Nor is it clear how governance over intercollegiate athletics has any significant bearing on accreditors' guarantee of educational quality. As former Senator Hank Brown noted in testimony before the U.S. House Education Subcommittee on 21st Century Competitiveness in 2002, internal constituencies can manipulate the accrediting process to undermine institutional autonomy and self-governance—at the expense of institution-wide priorities and innovation.¹⁴

STORIES FROM THE FRONT LINES

Law School Accreditor's Illegal Standards?

George Mason law professor David Bernstein just wants the American Bar Association to stop pressuring law schools to violate the law.¹⁵ The ABA accredits America's 195 law schools and last spring it modified its longstanding diversity standards.

For many years, the ABA had required law schools seeking accreditation to show that they had made an effort to ensure diversity among their student body and faculty.

Now more stringent standards require schools to "demonstrate by concrete action" that they have taken steps to acquire a student body, faculty, and staff that are "diverse with respect to gender, race, and ethnicity."¹⁶ The standards skirt legal protections against racial or sexual discrimination in part by refusing to specify what concrete actions the ABA expects schools to take.

To emphasize the firmness of its expectations, the ABA specifically warned schools in states such as California where voters rejected racial preferences, that even they must find a way to comply. According to the ABA's 2006-2007 Standards for Approval of Law Schools:

The requirement of a constitutional provision or statute that purports to prohibit consideration of gender, race, ethnicity, or national origin in admissions or employment decisions is not justification for a school's non-compliance with Standard 212. A law school that is subject to such constitutional or statutory provisions would have to demonstrate the commitment required by Standard 212 by means other than those prohibited by the applicable constitutional or statutory provisions.¹⁷

In plain English, that means the ABA expects law schools to find unique ways to go around the law. Indeed, the Chair of the ABA's accreditation arm explained the association expects schools to start "being more creative in how they promote diversity."¹⁸

In the face of the new accreditation criteria, the American Law Deans Association balked—and balked loudly: "[T]he accrediting body inappropriately inserts itself into the internal affairs of the institutions it accredits, [they said], and does so in a way that forces homogeneity, and conversely stifles innovation and diversity, among law schools."¹⁹ Other critics accused the ABA of having "secret standards" for accreditation that the ABA had failed to publish.²⁰

Faced with the public outcry, the National Advisory Committee on Institutional Quality and Integrity (NACIQI) recommended, and the Secretary of Education has now approved, an 18-month rather than the standard five-year renewal. Secretary Spellings also is requiring the ABA to provide extensive documentation on how it applies its controversial diversity standard.²¹

WHY ACCREDITATION DOESN'T WORK

WHY ACCREDITATION DOESN'T WORK**Accreditation does nothing to ensure educational quality.**

In passing the Higher Education Act, Congress linked accreditation and federal student aid to prevent students from squandering money on diploma mills. According to the Act, recognized accreditors serve as a “reliable authority” on the “quality of education or training offered.”²² Accreditation was thought to be a good proxy for quality. But this assumption was wrong.

Today, virtually all colleges and universities in the United States are accredited (sometimes by more than one accrediting body); yet, there are widespread concerns that college quality has been on a steady decline. According to the September 2006 report of the Secretary of Education’s Commission on the Future of Higher Education: “Unacceptable numbers of college graduates enter the workforce without the skills employers say they need in an economy in which...knowledge matters more than ever.”²³

On the rare occasion that accreditors do suspend or terminate an institution’s accreditation, it isn’t due primarily to educational concerns. Typically, institutions are sanctioned because of financial shortcomings—an area the Education Department already investigates without the need for accreditation teams.²⁴

All of this leads us to ask: Why is accreditation so ineffective?

WHY ACCREDITATION DOESN'T WORK

Accreditation examines inputs and ignores the output that matters to parents and students: educational quality.

Parents, students, and citizens may assume that accreditation ensures good educational quality, but quality is not what the process measures. Accreditation only shows that the school is following what the accreditors think is the *proper formula* for a successful educational institution, not whether an institution is in fact successful at teaching students.

The time-consuming process begins with a self-study. The accreditors require an applicant institution to submit a lengthy checklist of inputs and procedures: Does the school have a mission statement? A faculty senate? How many library books? What are the program review procedures? Do professors have “proper” credentials? Is there adequate financing? And disciplinary codes?

Then a team from the accrediting association, usually composed of faculty and administrators from other accredited institutions within the region, conducts a campus visit.

Once an institution is accredited, it generally retains the certification for ten years before it must seek reaccreditation. If the accreditation agency finds weak spots in an institution, it almost always allows the school a grace period of a year or two to remedy the problem.

Nothing in the accreditation process concretely measures student learning, instructional quality, or academic standards. Nothing measures whether students have made intellectual progress since high school or have attained a level of basic knowledge and competence that would be expected of college graduates. If the accrediting process were applied to automobile inspection, cars would “pass” as long as they had tires, doors, and an engine—without anyone ever turning the key to see if the car actually operated.

In 1992, the Education Department Inspector General told the House Education and Labor Committee that “billions of dollars available to students each year through loans and grants are at risk, in part because the recognition process does not assure that the accrediting agencies use appropriate and effective policies to accredit schools.”²⁵

Congress amended the Higher Education Act to strengthen the requirements that accrediting agencies had to meet, specifying that accreditors develop standards regarding:

- (A) success with respect to student achievement in relation to the institution's mission, including, as appropriate, consideration of course completion, state licensing examinations, and job placement rates
[note: this requirement was placed ninth in the 1992 amendments, but moved to first in 1998];
- (B) curricula;
- (C) faculty;
- (D) facilities, equipment and supplies;
- (E) fiscal and administrative capacity as appropriate to the specified scale of operations;
- (F) student support services;

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- (G) recruiting and admission practices, academic calendars, catalogs, publications, grading and advertising;
- (H) measures of program length and the objectives of the degrees or credentials offered;
- (I) record of student complaints received by, or available to, the agency or association;
- (J) record of compliance with its program responsibilities under this subchapter and [the Work Study Program] based on the most recent student loan default rate data provided by the Secretary, the results of financial or compliance audits, program reviews, and such other information as the Secretary may provide....²⁶

The result of those legal changes, unfortunately, was negligible.

Rather than requiring some objective verification that a program actually contributed to student achievement, the accrediting associations exhorted colleges and universities to devise a means of assessing their own "institutional effectiveness." Claiming that mandating certain standards of student achievement would violate institutional autonomy, accreditors have allowed schools to satisfy the criteria by merely showing that they have adopted some program to assess themselves.

The Southern Association's criteria, for example, call for institutions to have in place a "Quality Enhancement Plan" that "focuses on learning outcomes and/or the environment supporting student learning" and also "identifies goals and a plan to assess their achievement."²⁷ The Middle States Commission on Higher Education's standards provide that "assessment of student learning is an essential component of the assessment of institutional effectiveness."²⁸ In other words, a school with low, mediocre, or even eccentric goals could be judged to be of acceptable educational quality so long as the school was meeting the goals it set for itself.

In recent years, the Education Department has raised repeated concerns about declining quality under the accreditation regime. The Commission on the Future of Higher Education found the system of accreditation had "significant shortcomings." The Commission asserted that:

Accreditation reviews are typically kept private, and those that are made public still focus on process reviews more than bottom-line results for learning or costs. The growing public demand for increased accountability, quality and transparency coupled with the changing structure and globalization of higher education requires a transformation of accreditation.²⁹

Given mounting public concerns, accrediting associations have taken pains to appear more attentive to student achievement. The Western Association accrediting guidelines, for example, provide that "The institution's expectations for learning and student attainment are developed and widely shared among its members (including faculty, students, staff, and where appropriate, external stakeholders). The institution's faculty takes collective responsibility for establishing, reviewing, fostering, and demonstrating the attainment of these expectations."³⁰

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In May 2007, WASC submitted a Framework for Evaluating Educational Effectiveness to NA-CIQI that finds an institution has made major steps in determining that “[l]earning is demonstrably achieved” when “results are discussed regularly and deliberatively by all faculty.”³¹

However, the difficulty with such standards is that schools have a strong incentive to make themselves look good, while still offering the kind of diffuse and easy courses that fail to educate. And writing new standards that simply admonish colleges and universities to take student learning seriously is not likely to bring about any improvement in educational quality.

There are, of course, ways accreditors could examine the curricular structure to assess quality education. But they fail to do so. While accrediting standards call for a strong general education, accreditors do not assess whether a school has put in place a rigorous “core curriculum” or whether the curriculum simply consists of a loosely assembled list of distribution requirements. At most colleges and universities, the core curriculum exists in name only. Each requirement can be satisfied by taking one or two courses from a wide smorgasbord of options across many departments. Often the courses, which are taught by teaching assistants or by the most newly minted Ph.D. in the department, can be taken at any time during the undergraduate years. Long gone is the rigorous core curriculum that all students took during their freshman (and sometimes sophomore) years that constituted a shared intellectual experience.

As a result, even the “minimum standards” that accreditors purport to guarantee are far from sufficient to ensure that students receive anything worthy of being called a college education.

Colleges and universities simply do not lose their accreditation because of a judgment by accreditors that the curriculum is weak, the faculty poor, and the students don’t learn much. As David Justice, an administrator at DePaul University, has explained: “The truth of the matter is that regional accrediting associations aren’t very good about sanctioning an institution for poor quality.”³² As the accreditors see it, removing an institution’s accredited status is undesirable since it leaves students ineligible for federal student aid and requires a mass exodus to other institutions.³³



Accreditation undermines traditional strengths of American higher education: institutional autonomy and diversity.

Under the Higher Education Act, accrediting associations develop standards on topics specified by Congress; they are also given free rein to adopt “additional standards not provided for.”³⁴ Thus, accreditors are free to impose standards that *go beyond* those Congress has mandated, using their leverage to push institutions toward any agenda they wish.

While claiming, on the one hand, that assessing student learning would undermine institutional autonomy and diversity, accreditors have shown no such hesitation when it comes to matters of employment, productivity, governance, and trustee oversight. In these areas, accreditors have extended their reach, imposing standards that often undermine rather than enhance educational quality.

Campbell University in North Carolina was placed on probation because its standard faculty teaching load was 15 hours per week.³⁵ The accreditor insisted that 12 hours was the maximum acceptable load, so the school solved the problem by consolidating class sections. Instead of the relatively small classes students had come to expect, especially in freshman and sophomore courses, after the accreditation, students often found themselves in classes of sixty or more.

Accreditors’ recipe for educational inputs often includes the idea that colleges should employ individuals who hold “appropriate degrees.” The Southern Association, for example, states that “when determining acceptable qualifications of its faculty, an institution gives primary consideration to the highest earned degree in the discipline.”³⁶ The assumption is that a Ph.D. trumps all other qualifications. The difficulty with such a one-size-fits-all standard is that it rules out the employment of individuals who may be very knowledgeable in a field and perfectly capable of teaching, but who don’t possess the preferred credential.

People can and do gain knowledge outside of graduate schools. Some best-selling historians would be wonderful history instructors but do not have advanced degrees. Many writers are good at teaching literature, regardless of their academic credentials. There are exemplary economists who never earned a Ph.D. in economics. Following accreditors’ imperatives, schools are encouraged to rank the possession of certain credentials above other aspects of individual ability and achievement. Restricting hiring to individuals with these credentials may not lead to better teaching, but is virtually guaranteed to drive up costs.

As outlined in stories from the front lines, accreditors sometimes insist that the college’s academic goals be subordinated to the accreditors’ own social vision. They seek to impose certain admissions and personnel policies or insist on politicized criteria that compromise the educational process.

Such requirements are difficult to reconcile with academic excellence, academic freedom, and diversity among institutions. They are also highly questionable since they give unaccountable accreditors the power to impose policies which undermine rather than enhance educational quality and distinctiveness.

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In perhaps the most-publicized instance of such a conflict, Thomas Aquinas College was threatened some years ago with a loss of accreditation due to the fact that its avowedly Catholic, traditional orientation simply had no room for courses that its accreditor, the Western Association, was prescribing at the time. The "Great Books" curriculum at Thomas Aquinas was the very key to the school's mission—so much so that there were no elective courses at all.

The WASC standards that threatened small Thomas Aquinas College also were unacceptable to several of the most prestigious universities in California. The standards were denounced by the president of Stanford University, who said that such tight accrediting controls "would ruin a system of higher education that allows Stanford and Thomas Aquinas College to serve students of different tastes."³⁷ In a letter to WASC, Stanford's then-president Gerhard Casper argued that the Commission was "attempting to insert itself in an area in which it has no legitimate standing."³⁸ In the face of such criticism, WASC subsequently voted to soften, though not eliminate, the controversial standards.

In the 1990s, controversy over accreditors' mandating greater diversity in the student body, faculty and curriculum again reared its head. The Middle States Association threatened to withdraw accreditation from Baruch College because it had only 18% minority representation on its faculty and Westminster Seminary because there were no women on its governing board. Then Education Secretary Lamar Alexander concluded that it was not appropriate for an accreditation agency to wield what amounted to federal power in a manner that threatened academic freedom and diversity among institutions.³⁹ Writing that "I did not know that it was the job of an accrediting agency to define for a university what its diversity ought to be," Secretary Alexander chose to defer recognition of Middle States pending a report from NACIQI.⁴⁰ Then chairman of NACIQI, the late Dr. Martin Trow, asked, "Who sets the agenda on the campus? The accrediting agency may be coming on campus as one of the contending forces."⁴¹ NACIQI recommended that Middle States' recognition be extended for one year provided that it not deny accreditation to any institution based on diversity issues.

Given these high-profile cases and high-profile dissatisfaction, accreditors laid low. But the problem has not disappeared. In the last year alone, two highly-publicized cases have called accreditors to account for engaging in questionable and prescriptive practices that undermine institutional quality. These and other stories from the front lines are highlighted in the early pages of this paper.

WHY ACCREDITATION DOESN'T WORK



Accreditation contributes to ever-mounting education costs.

If accreditation does little to ensure quality, it does even less to address the other major worry about higher education—its outrageous price tag. College tuition, fees, and other expenses have been rising faster than the rate of inflation for more than 25 years, but cost control is not among the accreditors' concerns.

In fact accreditation itself helps to inflate the cost of higher education. The regional accreditors charge schools for conducting campus visits and reviews of the self-study documents, and schools can incur expensive direct and in-kind expenditures.⁴² But that's not the only cost.

Abiding by accreditors' one-size-fits-all formulae also drives up costs. Having to meet a particular standard for library size, for example, may do nothing to help students learn, but diverts resources from other institutional needs that the school may regard as more pressing. As former chancellor Alan E. Guskin of Antioch College explained:

It is these [accreditor] definitions of quality that have led to...the proliferation of disciplinary programs based on the interests of faculty members and to the significant increase in expenses for student support services. We are so wedded to a definition of quality based on resources that we find it extremely difficult to deal with the results of our work, namely student learning.⁴³

Institutions also incur opportunity costs when school resources are diverted from other tasks in preparation for accreditation reviews. And there can be costs when institutions are driven to implement accreditors' recommendations rather than using their own judgment on how best to provide the education their students need. Former University of Missouri president Peter Magrath recalls an episode when the accreditation committee of the American Bar Association insisted that the university's law school needed a new building. "The problem," according to Magrath, "was that you had people making decisions about the use of university resources who didn't have an overall perspective."⁴⁴ Accreditors forget that there are inevitable trade-offs and complexities that they cannot see.

WHY ACCREDITATION DOESN'T WORK

Accreditation creates an unaccountable, federally-mandated monopoly.

America's accreditation system emerged in the late 19th century as a voluntary system for serious educational institutions to differentiate themselves from institutions that were "colleges" in name only. There was a competition among the private accrediting organizations that enabled market forces to maintain a necessary level of quality. The knowledge that institutions could drop accreditation kept associations from becoming dictatorial or attempting inappropriately to influence the content of education.

Accreditation remained voluntary until 1952 when Congress linked eligibility for federal student aid funds to accreditation in the GI Bill. The power of the accrediting associations was further augmented by the 1965 Higher Education Act which created new student aid programs for non-veterans. Because this happened at a time when the importance of student aid in college budgets was growing, accreditation changed from a voluntary service to a nearly universal obligatory review.

Since students who attend unaccredited colleges are ineligible for federal student aid, a loss of or failure to receive "accredited" status would be a death knell for many institutions. Accordingly, schools pay close attention to the criteria for certification established by their accrediting associations and are usually quick to respond to any "concerns" expressed in an accreditation review.

Six regional associations provide accrediting services for almost all colleges and universities. Each is named after the region of the country in which it operates: Middle States, Southern, North Central, Western, Northwest, and New England. Each is a private, nonprofit membership association. Specialized education programs, such as in law, medicine, teaching, and social work are accredited by professional organizations like the American Bar Association, Council on Social Work Education, and National Council for Accreditation of Teacher Education.

Accreditors do not sell their services in competition with other firms. Instead, they operate as regional monopolies. As such, they have nearly unchecked power—often making the accreditation process a high-wire act for schools. Indeed, accreditors are "private" in name only since their power derives solely from their role as gatekeepers for the federal student loan program.

Accreditors also present colleges and universities with a labyrinth of standards. A school that needs or seeks multiple accreditor approvals may be faced with a medley of inconsistent and uncoordinated standards. The direct result—intended or not—is to make it more difficult and more costly for institutions to enter the higher education marketplace.

WHY ACCREDITATION DOESN'T WORK

Accreditation is largely a secret process.

From the vantage point of parents, students and even policymakers, accreditation is largely a secret process. Accreditation associations do not publish their evaluations of colleges and universities. The associations do publish lists of their members and any sanctions that they have imposed on schools. But this is scant information.

Although for many prospective students, knowledge about the quality of an academic department could be very useful, accreditation offers no such guarantee. Accrediting associations do not publish any rankings of institutions, nor do they evaluate individual programs and departments. The New England Association asserts that, "Meeting the standards does not guarantee the quality of individual programs, courses, or graduates...." ⁴⁵ That admission is extremely important.

As was outlined in our first story from the front lines, it is possible for a college or university to be accredited and yet have one or more academic departments that are weak or dysfunctional. But that fact, even if it were noticed, would not typically be made public.

WHY ACCREDITATION DOESN'T WORK

Accreditation is a conflicted, closed, and clubby system.

Federal accreditation creates serious conflicts of interest. When colleges and universities seek accreditation, they are being evaluated by an association of which they themselves are members. They pay annual dues and an accreditation fee to this association. The fact that accreditation is rarely denied or revoked may be explained, at least in part, by the reluctance of accreditors to cast off paying members.

The accreditation review process is also a closed, clubby system. The accreditation teams that visit and evaluate schools are generally composed of college and university personnel from other schools in the region, people whose own schools will be evaluated by a team that might include someone from the school under evaluation. It is not surprising that this system produces little valuable information because accreditation agencies do not see themselves in an adversarial relationship with their members.

The desire to maintain collegiality and not to lose paying association members raises conflict of interest issues that make the regional accreditors questionable gatekeepers for eligibility for federal funds.

Accrediting agencies might undergo dramatic change or disappear entirely if it were not for the federal law that guarantees them a customer base. Subjecting the accreditation associations to marketplace competition would lead to better results.

WHAT POLICYMAKERS CAN DO

WHAT POLICYMAKERS CAN DO

As we have seen, the system of accreditation that has evolved in the United States does not serve to assure educational excellence or even competence. Though accreditation is nearly universal, study after study shows a troubling decline in academic quality. The current system does little or nothing to screen out institutions that have succumbed to the temptation to keep students content with low standards and a weak curriculum.

ACTA calls on policymakers to take action now:

Break the link between federal student aid and accreditation.

The reason for linking the two at the time of the GI Bill was to protect against the squandering of federal funds on institutions that provided an education in name only. Experience has shown, however, that many *accredited* institutions now provide an education in name only. If accreditation ever served as a reliable proxy for acceptable educational quality, it no longer does.

Independent of the accreditation process, the Department of Education already determines what Congress needs to know—institutional financial responsibility. Existing regulations require that institutions submit audits every year and maintain good-standing with the Department in order to participate in Title IV programs.⁴⁶ These reviews ensure that student loan funds are expended on financially responsible institutions and provide consumer protection, without the shortcomings of federal accreditation.

Parents and students today have access to more information than ever before on the quality of education—books, magazines and especially on the Internet—enabling them to make informed decisions based on far more than the minimal amount of information conveyed by the accreditation system. The self-interest of students and parents reduces the problem of fraudulently low-quality education to one of *de minimis* proportions. If there were instances of educational fraud by institutions receiving federal funds, it would be better policy to ban them from receiving federal funds for a period of years than to compel all to participate in an accreditation system that has more cost than benefit. That is the approach the government takes with the Food Stamp program. Rather than trying to limit Food Stamp use to approved stores, the government simply prosecutes cases of fraud.

A similar approach to accreditation makes sense.

Make accreditors prove their worth.

If the federal government repealed the restriction against using student aid money at non-accredited colleges and universities, the accreditation system would no longer be guaranteed a market for its services. Accreditors would have to pass the test of the market—i.e., earn enough in voluntary payments to cover all of their operating costs. Former Boston University president Jon Westling summed up the benefits of opening up a free market in accreditation:

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Accreditation agencies should be, in effect, accredited by their customers. If they have anything worthwhile to offer colleges and universities, colleges and universities will pay them for it. Generally, colleges and universities will pay to be reviewed by the agency which has the strictest standards that the institution thinks it can pass. A free market in accreditation agencies will quickly stratify, with the toughest agencies attracting the best colleges and universities. The public will benefit from a genuine ranking system.⁴⁷

Accreditation associations should start acting in a manner more akin to business consultants than monopolies.

Break the accreditor monopoly.

The traditional division of the country into regions that are the sole province of one accrediting association makes no sense today, if it ever did. The Department of Education and state governments should require colleges and universities to solicit bids for accrediting services, just as they do for other services. It is of course possible that only the historic, regional accreditor would submit a bid. But competition is a powerful force and even nonprofit institutions like to grow. The prospect of getting contracts may overcome traditional boundaries and perhaps draw new accreditors into the field.

An objection to required bidding might be that universities would be able to seek out accreditors with low costs and low standards. But accreditation standards have already fallen to the lowest common denominator. Instead of causing a "race to the bottom," competition in accreditation would likely do the opposite. Schools that wanted to differentiate themselves by virtue of their high standards, serious teaching, sound curriculum and so forth might seek out selective accreditors whose certification would be a mark of distinction. Competition in this field can only lead to improvement. The states could also seek federal waivers of the law requiring accreditation by a federally recognized accrediting agency (as was done with regard to welfare reform), then devise their own mechanisms for ensuring the educational quality of their institutions.

Ensure student achievement.

Parents and students deserve to know whether an institution successfully teaches its students. But accreditation has tended to focus chiefly on educational inputs, while paying little attention to educational results. That approach has obscured the fact that educational standards have been in sharp decline at many colleges and universities. The Commission on the Future of Higher Education has called on colleges and universities to "make aggregate summary results of all postsecondary learning measures, e.g., test scores, certification and licensure attainment, time to degree, graduation rates, and other relevant measures, publicly available in a consumer-friendly form as a condition of accreditation."⁴⁸

Knowing which schools stand out for their commitment to excellence would be valuable information. How best to ensure excellence will not be the same for all schools, and suggesting the best means of assessment might become an area of expertise for accrediting agencies,

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much as energy consultants tell business clients not only whether they are using energy efficiently, but how to reach optimal efficiency. Any results from learning assessments should be shared with the public.

Tell the public what it deserves to know.

As things now stand, poor accrediting evaluations can be hidden. The historic collegiality between accrediting associations and their members has resulted in a system that is virtually unknown to the public. Institutions would be more apt to prevent serious weaknesses from developing, especially academic ones, if they knew that they would be exposed to public scrutiny.

Stop the homogenization of higher education.

Some accrediting associations have adopted biased and intrusive review criteria that infringe upon institutional autonomy and self-governance. The ultimate result has been the homogenization of American higher education. There is no proof that educational quality depends on particular student dispositions, institutional governance practices, or specific personnel policies. Such requirements only reduce overall diversity.

This intrusion may in part be due to legislative language that gives accreditors the ability to adopt “any additional standards not provided for.” Accreditors are free to impose standards that go beyond those Congress has mandated, using their leverage to push institutions toward any agenda they wish.

Congress should end that power and the relationship between accreditors and institutional leaders should be clarified so there is no confusion.

Boards of trustees have the ultimate responsibility for overseeing all aspects of an institution’s functions. At public institutions, many trustees have been appointed by the governor or legislators to make sure that the college or university is serving citizens well. It is not the role of an accrediting agency to interfere with trustees’ responsibilities.

Create a consumer-friendly expedited alternative for reaccreditation.

For federal purposes, a school is accredited unless and until its accreditation is removed. While accreditors typically require institutions to return for review every 10 years, there is no such requirement in the law. Congress should establish an “Expedited Reaccreditation” program that allows already-accredited institutions to certify key information about cost, academic quality and student achievement—in lieu of an accreditation review.

Under expedited reaccreditation, institutions are offered an *alternative* to the existing accreditation process. Any college that selected the alternative would submit certain key data addressing institutional practices—that would be available to the consumer.

No specific outcomes would be mandated: Schools would simply be required to report on key measurements relating to quality in keeping with the recommendations of the Commission on the Future of Higher Education.

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Any college that chose the expedited reaccreditation alternative once would find it very easy to do it again since appropriate data collection systems already would be in place. The information, meanwhile, would be accessible to students and parents, and reported publicly to provide consumers and policymakers with a way to examine the effectiveness of different colleges and universities.

Expedited accreditation would not be available to institutions whose accreditation had been revoked, suspended or put on probation, or whose fundamental structure or purpose were changed. The institution would continue to have the option to follow the existing accreditation process.

Don't replicate a failed model.

Policymakers should not apply this failed model to other non-profit institutions, such as private foundations. Federal accreditation reduces diversity and encourages bureaucratic intrusion and costly intervention without measurable benefit.

State legislators should also be wary of conditioning state approvals or benefits on federal accreditation.

Reduce the cost of higher education.

By eliminating the cost of federally mandated accreditation, Congress can give institutions the freedom to use their own best judgment on how best to carry out their educational objectives.

Accreditors may well find that they can enhance their value to schools if they develop expertise in finding ways to contain or reduce costs. While campuses frequently hire consultants to find efficiencies that affect the institution's bottom line, students and parents might benefit from recommendations on ways to reduce the costs of textbooks, housing, and the many other staples of education. Accreditors that can help to control costs would have a competitive advantage over those that cannot.



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